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**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

ALEXANDER HUGHES, STEPHANIE
GEHRING, and MONIQUE SHIELS,

Plaintiffs,

vs.

COMMUNITY ANIMAL RESOURCES
& EDUCATION SOCIETY and DEBRA
GEORGE,

Defendants.

No. 23-2-14941-6 KNT

ANSWER AND AFFIRMATIVE
DEFENSES OF DEFENDANTS

TO: The Clerk of the Court.

TO: Plaintiffs above named and their attorney

ANSWER

COMES NOW the Defendants, by and through their attorney of record

W. Tracy Codd, and answers and avers as follows, by paragraph of Plaintiffs'

Complaint:

1. Admitted in part. Plaintiffs are employees of Defendant Community

Animal Resource & Education Society (hereinafter "BURIEN CARES"). Deny that

ANSWER AND AFFIRMATIVE DEFENSES --

Page 1

LAW OFFICES OF

W. TRACY CODD

P.O. BOX 1238

Seahurst, Washington 98062-1238

(206) 248-6152 FAX: (206) 431-5516

WSBA #16745

1 Debra George employed Plaintiff as Ms. George is an employee of BURIEN
2 CARES.

3
4 2. Admitted.

5 3. The first sentence is admitted in part, but/for the allegation that Debra
6 George employed Plaintiffs. Admitted that Debra George directed Plaintiffs'
7 duties, however she could not control their activities because Ms. George did not
8 have direct supervision over the Plaintiffs and they would frequently fail to follow
9 instructions.
10
11

12
13 4. Admitted, but/for the Plaintiff Hughes was not employed by Debra
14 George.

15
16 5. Admitted.

17
18 6. Admitted.

19 7. Admitted but/for the Plaintiff Gehring was not employed by Debra
20 George.
21

22 8. Admitted.

23
24 9. Denied.

25 10. Admitted but/for the Plaintiff Shiels was not employed by Debra
26 George.
27

28 11. Denied.

29
30 12. Admitted.

31
32 13. Admitted.

33
34 14. Admitted.

15. Denied.

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16. Denied.

17. Denied because Plaintiff Hughes' position qualifies as an exempt employee under WAC 296-128-530.

18. Admitted in part and denied in part. Plaintiffs Gehring and Shiels were paid no more than eighty (80) hours during any two week period because they were told repeatedly that overtime was not authorized. Each made a regular practice of coming in late or leaving early to stay within eighty (80) hours per two week period.

19. Denied.

20. Denied.

21. Admitted in part. 45 minutes was deducted, however Defendants are without sufficient information to know whether or not Plaintiffs took a full 45 minute lunch break. The schedule always allowed time for a 45 minute lunch break for each employee.

22. Denied.

23. Denied.

24. Denied.

25. Denied.

26. Paragraph does not call for a response.

27. Denied.

28. Denied.

29. Denied.

30. Paragraph does not call for a response.

1 31. Denied.

2 32. Denied with explanation. Defendants have an obligation to provide
3 employees with meal and rest breaks, which they did, to make reasonable efforts
4 to ensure that employees take meal and rest breaks, which they did, and no
5 additional wages were due for missed meal or rest breaks because, on
6 information and belief, there were no missed meal or rest breaks.
7
8

9
10 33. Admitted. Plaintiffs were repeatedly told to take full advantage of
11 uninterrupted meal and rest breaks, which Plaintiffs did.
12

13 34. Denied.

14 **PLAINTIFFS' PRAYER FOR RELIEF**

15
16 Defendants prays as follows:

- 17 1. Deny Plaintiffs' claims.
18
19 2. Paragraph does not call for a response.


20 **AFFIRMATIVE DEFENSES**

21
22 Defendants affirm as follows:

- 23 1. If any of Plaintiffs' claims are granted, portions of Plaintiffs' claims are
24 barred by the applicable Statute of Limitations.
25
26 2. Failure to State a Claim against Defendant Debra George.
27
28 3. Accord and Satisfaction in that Plaintiffs have been fully compensated
29 for services provided.
30
31 4. Estoppel and Waiver in that Plaintiffs willfully and repeatedly failed to
32 follow instructions regarding meal and rest breaks and overtime.
33
34 5. For any other relief the court deems fair and just.

1 DATED this 13th day of September, 2023.

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W. Tracy Codd WSBN 16745
Attorney for Defendants